

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

RECEIVED

UNITED STATES OF AMERICA

VS.

MATTHEW OKONKWO

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2006 MAY -4 A 11: 49

DEBRA P. HACKETT, CLK
CLERK, U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

MOTION FOR LEAVE TO WITHDRAW OF COUNSEL

COMES NOW the undersigned attorney, Barry E. Teague, and hereby moves this Honorable Court for leave to withdraw as counsel for defendant, MATTHEW OKONKWO, and as grounds therefor shows as follows:

1. That the undersigned counsel is a solo practitioner.
2. That counsel's 87 year old mother, who resides in Ohio, has recently been diagnosed with cancer on her pancreas and liver (latter stages). This has caused some disruption in counsel's law practice and will involve several trips to Ohio. Counsel has traveled just over a week ago to Ohio for one important operation.
3. That scheduled appearances counsel has in many counties (Covington, Chilton, Bessemer Div., Coffee, Pike, Autauga, Elmore, and others) throughout Alabama will involve significant travel time that will preclude counsel's having sufficient time to prepare the defendant's case.
4. During the balance of this month (May, 2006) counsel has three trials scheduled, to-wit: Monday, May 8, 2006, Tuscaloosa County Circuit Court, State vs. Chambers, 04-2004-E (pharmacy burglary); Thursday, May 18, 2006, Montgomery County Circuit Court, State vs. Sosanya, CC 06-101 (drug case); Monday May 22, 2006, Autauga County Circuit Court, State vs. Delong, 05-240 (Rape I); May 22, 2006, Circuit Court of Autauga Co. Circuit Court State v.

Savage, 04-390 (drug case). The foregoing are the **trials only** scheduled for this, the month of May. Many non-trial appearances are required in other local courts and some in places such as Covington County Circuit Court.


5. During the month of June, 2006, counsel is scheduled for two additional **trials**: in the Bessemer Div. of the Jefferson County Circuit Court, State vs. Fields, CC 05-994 (white collar fraud) and **trial** in U.S. District Court Middle District of Alabama, U.S.A. vs. Pennic, 2:06-cr-14-W (drug case). Again, counsel is scheduled for many non-trial hearings and appearances between the foregoing trials.

6. Further, counsel is working on an appeal brief due to be filed on or before May 23, 2006, in the Court of Criminal Appeals, State v. Stewart, App. No. 05-587. The May 23rd filing date is the result of counsel's previously requesting an extension for filing of said brief because of one of the emergency trips to Ohio that were necessary for contacts with Hospice, doctors, etc.

7. Ordinarily, counsel has the time to take a Federal criminal appointment such as the above styled case; however, this appointment comes at an unusually busy and inopportune time.

WHEREFORE, counsel prays that he be granted leave to withdraw as counsel for Mr. Okonkwo for the reasons set forth above.

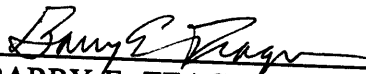
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BARRY E. TEAGUE [TEA003]
ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document has been served upon the United States Attorney and any other counsel of record by placing same in the U.S. Mail, postage prepaid and addressed as shown below, this date, May 4, 2006:

Honorable Andrew Schiff
Assistant U.S. Attorney
Post Office Box 197
Montgomery, AL 36101


BARRY E. TEAGUE